

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:21-CV-25-D

DANIEL MCCARTHY,
and PHIL SCALZO,

Plaintiffs,

v.

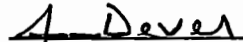
ACTIVE ENERGY GROUP, PLC, et al.,

Defendants.

ORDER

The court has reviewed plaintiffs' complaint and defendants' motion to dismiss under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 677–78 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555–63, 570 (2007); Coleman v. Md. Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), aff'd, 566 U.S. 30 (2012); Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255 (4th Cir. 2009); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). The court DENIES defendants' motion to dismiss [D.E. 18]. United States Magistrate Judge Jones is available to host a settlement conference. The parties shall notify the court not later than January 10, 2022, if they would like to participate in such a conference. If so, Magistrate Judge Jones will schedule the conference at a mutually convenient time for the parties.

SO ORDERED. This 12 day of December, 2021.


JAMES C. DEVER III
United States District Judge